

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**May 26, 2021**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Armando Calderon Martinez

Case Number: 0980 1:16CR02054-SMJ-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Salvador Mendoza, Jr., U.S. District Judge

Date of Original Sentence: February 15, 2017

Original Offense: Possession with Intent to Distribute a Controlled Substance Cocaine,
21 U.S.C. § 841(a)(1) and (b)(1)(B)Original Sentence: Prison - 24 months Type of Supervision: Supervised Release
TSR - 48 months

Asst. U.S. Attorney: Ben Seal Date Supervision Commenced: 04/23/2018

Defense Attorney: Federal Defenders Date Supervision Expires: 04/22/2022

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance1 **Mandatory Condition #1:** You must not commit another federal, state or local crime.**Supporting Evidence:** Mr. Martinez is considered to be in violation of his conditions of supervision by being arrested on March 18, 2021, for illegally entering the United States, and a complaint being filed with the U.S. District Court for the Southern District of California, charging the offender with Deported Alien Found in the United States, in violation of 8 U.S.C. § 1326, docket number 21CR01107.

On March 18, 2021, Border Patrol agent J. Bushless and his canine partner were conducting assigned duties in the Brown Field Border Patrol station's area of responsibility. At approximately 4:26 a.m., a seismic intrusion device activated in an area known to Border Patrol agents as the "Sundance Ranch." The agent responded to the area and deployed his canine partner who alerted and led him to a group of four individuals attempting to conceal themselves lying down in thick brush. This area is located approximately 3 miles west of the Tecate, California, Port of Entry, and approximately 1 ½ miles north of the United States/Mexico international boundary. The agent approached the individuals, identified himself as a Border Patrol agent, and conducted an immigration inspection. Each individual, including one later identified as the defendant, Armando Cadleron Martinez, stated they are

Prob12C

Re: Martinez, Armando Calderon

May 26, 2021

Page 2

citizens of Mexico without proper immigration documents which would allow them to enter or remain in the United States legally. At approximately 4:35 a.m., the agent placed all four individuals, including Mr. Martinez, under arrest.

Mr. Martinez was advised of his Miranda rights. He stated he understood his rights and was willing to answer questions without an attorney present. Mr. Martinez stated he is a citizen of Mexico, illegally present in the United States. Mr. Martinez admitted he had been previously deported from the United States and had not applied or requested permission to re-enter the United States legally. Mr. Martinez stated he illegally entered the United States on March 16, 2021, with an intended destination of Tigard, Oregon.

A routine record check of Mr. Martinez revealed a criminal and immigration history. Mr. Martinez' record was determined by a comparison of his criminal record and his current fingerprints. Official immigration records of the Department of Homeland Security revealed the offender was previously deported to Mexico on April 27, 2018, through Laredo, Texas. The same records show Mr. Martinez has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

On March 19, 2021, a complaint was filed with the U.S. District Court for the Southern District of California, charging the offender with Deported Alien Found in the United States, in violation of 8 U.S.C. § 1326, docket number 21CR01107.

On May 14, 2021, a change of plea hearing was held and Mr. Martinez pled guilty to the underlying charge and sentencing has been scheduled for June 14, 2021.

2

Special Condition #1: You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: Mr. Martinez is considered to be in violation of his conditions of supervision by knowingly and intentionally entering the United States of America without advance legal permission from the United States Attorney General or his designee on or about March 18, 2021, U.S. District Court for the Southern District of California docket number 21CR01107.

According to the complaint filed on March 19, 2021, on or about March 18, 2021, the offender knowingly and intentionally entered the United States of America without the express written consent of the Attorney General of the United States or his/her designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, through the Laredo, Texas, Port of Entry on or about April 27, 2018. The offender did not obtain said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the border from Mexico, into the United States.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition.

Prob12C

Re: Martinez, Armando Calderon

May 26, 2021

Page 3

I declare under penalty of perjury that the foregoing is true and correct.

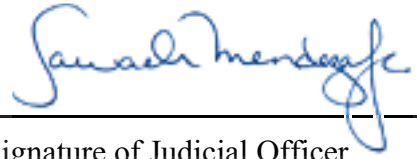
Executed on: May 26, 2021

s/Arturo Santana

Arturo Santana
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

05/26/2021

Date